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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/967,242 | 09/28/2001 | Bertram Geck | 2001 P 18013 US | 6613 |

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| EXAMINER |
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LEE, JOHN J

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| ART UNIT | PAPER NUMBER |
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2684

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 09/967,242 | Applicant(s) GECK ET AL. | |
| | Examiner JOHN J LEE | Art Unit 2684 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments with respect to claims 1 – 7 and 9 – 31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 2, 4-7 and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Steer (US Patent number 6,643,517) in view of Kuwahra et al. (US Patent number 6,389,288).

Regarding **claim 1**, Steer discloses that a system for restricting features in a wireless network (Fig. 1 and column 3, lines 26 – 67). Steer teaches that at least one base station (the wireless network includes plurality base stations as see 4, 5, 6 in Fig. 1), each operative in communicating an incoming communication directed to, and an outgoing communication originated by, at least one wireless terminal (10 in Fig. 1) located within a given range of the at least one base station (6 in Fig. 1) (Fig. 1 and column 4, lines 46 – column 5, lines 62, where teaches a base station communicates with mobile station and having directing incoming communication and originating outgoing communication by mobile station located within a boundary of the coverage region). Steer also teaches that at least one database (the protection broadcast information server (8) in Fig. 1) comprising representations of rules for restriction on features (broadcasting information

for the boundaries of the region inside which mobile radio operations are to be restricted or can be anything for restriction) of at least one wireless terminal (10 in Fig. 1) wirelessly connected (Fig. 1) to the at least one base station (6 in Fig. 1) (Fig. 1, 2 and column 5, lines 3 – 62), wherein the restriction for at least one of the at least one wireless terminal (10 in Fig. 1) is dependent on the specific one of the at least one base station (6 in Fig. 1) (Fig. 1 teaches each base station wirelessly communicates with mobile stations within predetermined coverage area, moreover, the at least one base station (6) in restricted area (12) wirelessly connected with at least one mobile station for restricted operation) (Fig. 1, 2, column 5, lines 3 – 62, and column 3, lines 26 – column 4, lines 30). Steer teaches that the at least one database (memory/database in Fig. 2) is accessed in response to an incoming communication directed (uplink communication signal) to the at least one of the at least one wireless terminal (10 in Fig. 1) located within a given range (given coverage region/area in Fig. 1) of the at least one base station (6 in Fig. 1), **or** in response to an outgoing communication originated by the at least one of the at least one wireless terminal located within a given range of the at least one base station (Fig. 1, 3 and column 8, lines 8 – column 9, lines 35, where teaches the database in mobile station is accessed directed downlink communication signal located within given coverage region/area).

Steer does not specifically disclose the limitation “the at least one database is accessed in response to an incoming communication directed to the at least one of the at least one wireless terminal located within a given range of the at least one base station, **or** in response to an outgoing communication originated by the at least one of the at least

one wireless terminal located within a given range of the at least one base station”.

However, Kuwahra discloses the limitation “the at least one database is accessed in response to an incoming communication directed to the at least one of the at least one wireless terminal located within a given range of the at least one base station, **or** in response to an outgoing communication originated by the at least one of the at least one wireless terminal located within a given range of the at least one base station” (column 3, lines 59 – column 4, lines 46, Fig. 13, 20, and column 13, lines 8 – 65, where teaches a database/memory is accessed incoming communication directed to the mobile station for applying alert, rules, or special service within each coverage area, zone, or region, for example, performing operation for registering an execution service or rule that defined applying each service or rule for each area or zone such that home, office, meeting room, and library). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Steer system as taught by Kuwahra, provide the motivation to enhance providing mobile restriction service based on mobile location or area for user convenient in mobile network.

Regarding **claim 2**, Steer discloses that the restriction on features depends at least on the time of day (Fig. 1, 3 and column 7, lines 56 – column 8, lines 43, where teaches mobiles have time to receive (arrival time of the day) and process the warning signals).

Regarding **claim 4**, Steer discloses that the restriction on features depends at least on whether a communication is incoming or outgoing (Fig. 1, 3, abstract, and column 5, lines 3 – 62, where teaches the mobile station applies service or rule depend on incoming or outgoing communication).

Regarding **claim 5**, Steer discloses that the restriction on features depends at least on whether a communication is designated as an emergency (Fig. 1, 3 and column 3, lines 26 – column 4, lines 30).

Regarding **claim 6**, Steer discloses that the terminal is a wireless telephone (Fig. 1, 3 and column 3, lines 19 – column 4, lines 30).

Regarding **claim 7**, Steer discloses that the restriction on features is that the terminal may not ring (Fig. 1, 3 and column 3, lines 19 – column 4, lines 30, where teaches the mobile station applies service or rule (vibration or display only) depend on the mobile area, location, or zone).

Regarding **claim 26**, Steer and Kuwahra disclose all the limitation, as discussed in claim 1. Furthermore, Steer discloses the restriction on features further depends on the specific at least one of the at least one terminal (Fig. 1, 2, column 5, lines 3 – 62, and column 3, lines 26 – column 4, lines 30).

4. **Claims 3, 9-25, and 27-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Steer in view of Kuwahra and in further view of Rafael (GB 2354407A).

Regarding **claim 3**, Steer and Kuwahra do not specifically disclose the limitation “the restriction on features depends at least on the priority of the at least one wireless terminal”. However, Rafael discloses the limitation “the restriction on features depends at least on the priority of the at least one wireless terminal” (Fig. 1, abstract, and pages 3, lines 1 – 34, where teaches the terminal may be programmed with parameters which relate to the power, duration or classes of priority of the mobile devices that are to be

inhibited). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Steer and Kuwahra systems as taught by Rafael, provide the motivation to achieve efficient controlling an area of restricted operation provided by certified terminal should no longer exist in mobile network.

Regarding **claim 9**, Steer and Kuwahra disclose all the limitation, as discussed in claim 1. Furthermore, Steer further discloses that determining which one of a plurality of terminals is associated with an incoming communication (Fig. 1, 3 and column 5, lines 3 – 62, where teaches only incoming allowed with no audible ringing), and whether the one of a plurality of terminals (10 in Fig. 1) is connected to a base station (6 in Fig. 1) that is selectively operative in communicating incoming communications directed to the one of a plurality of terminals (Fig. 1 and column 4, lines 46 – column 5, lines 62, where teaches a base station communicates with mobile station and having directing incoming communication and originating outgoing communication by mobile station located within a boundary of the coverage region). Steer teaches that accessing, in response to the incoming communication and in the service of the one of a plurality of terminals being connected to said base station (Fig. 1, 3 and column 8, lines 8 – column 9, lines 35, where teaches the database in mobile station is accessed directed downlink communication signal, that is restriction service or rule, located within given coverage region/area), at least one database to look up rules governing restriction on the base station connected to the one of a plurality of terminals (where teaches various types of restricted transmissions need to be defined in a universal way so that they can be understood by all mobiles that may wonder into the region), the restriction on the base station being independent of the

own operation of the one of a plurality of terminals (where teaches could perhaps be installed, owned and operated by the owner of a protected region who may wish to restrict operation of mobile radio on their premises) (Fig. 1, 3, column 4, lines 46 – column 5, lines 62, and column 10, lines 25 – 50). Steer teaches that activating the one of a plurality of terminals if allowed, wherein the allowance depends at least on the restriction on the base station (Fig. 1, 3 and column 4, lines 46 – column 5, lines 62).

Steer and Kuwahra do not specifically disclose the limitation “accessing at least one database to look up rules governing restriction on a base station connected to the one of a plurality of terminals, the restriction on the base station being independent of the specific identity of the one of a plurality of terminals”. However, Rafael discloses the limitation “accessing at least one database to look up rules governing restriction on a base station connected to the one of a plurality of terminals, the restriction on the base station being independent of the specific identity of the one of a plurality of terminals” (page 6, lines 3 – pages 7, lines 34 and Fig. 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Steer and Kuwahra systems as taught by Rafael, provide the motivation to improve mobile service within the restricted area in mobile network.

Regarding **claim 10**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 9. Furthermore, Steer further discloses that the allowance depends at least on the restriction on the one of a plurality of terminals (Fig. 1, 3 and column 4, lines 46 – column 5, lines 62).

Regarding **claim 11**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 8 and 9.

Regarding **claim 12**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 5.

Regarding **claim 13**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 2.

Regarding **claim 14**, Steer discloses that the allowance on features depends at least on the format of communication (Fig. 1, 3 and column 5, lines 3 – column 6, lines 41).

Regarding **claim 15**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 6.

Regarding **claim 16**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 7.

Regarding **claim 17** Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 9. Furthermore, Steer further discloses that accessing at least one database to look up rules governing restriction on a base station in response to the base station (6 in Fig. 1) receiving a signal from a terminal associated with a request for an outgoing communication (Fig. 1, 3, column 4, lines 46 – column 5, lines 62, and column 10, lines 25 – 50). Steer teaches that connecting the terminal for the outgoing by the terminal (10 in Fig. 1) communication if allowed, wherein the allowance depends at least on the restriction on the base station (Fig. 1, 3, column 4, lines 46 – column 5, lines 62, and column 3, lines 26 – column 4, lines 30).

Regarding **claim 18**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 10 and 17.

Regarding **claim 19**, Steer discloses that the allowance on features depends at least on whether the terminal is inside a predetermined room (Fig. 3 and column 9, lines 1 - 23).

Regarding **claim 20**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 12 and 17.

Regarding **claim 21**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 13 and 17.

Regarding **claim 22**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 14 and 17.

Regarding **claim 23**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 15 and 17.

Regarding **claim 24**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 11 and 17.

Regarding **claim 25**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 9. Furthermore, Steer further discloses that whether the rules apply does not depend on the location of the at least one terminal (abstract, Fig. 1, 3, and column 3, lines 19 – column 4, lines 30).

Regarding **claim 27**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 9.

Regarding **claim 28**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 9 and 17. Furthermore, Steer further discloses that at least one of the communication originating device and the communication destination device is a wireless terminal within a coverage area of the base station (Fig. 1 and column 4, lines 46 – column 5, lines 62).

Regarding **claim 29**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 12.

Regarding **claim 30**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 1 and 9.

Regarding **claim 31**, Steer, Kuwahra and Rafael disclose all the limitation, as discussed in claims 9 and 17.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Merriam (US Patent number 6,408,187) discloses Determining Behavior of a Communications Device Based Upon Environmental Conditions.

"Information regarding...Patent Application Information Retrieval (PAIR) system... at 866-217-9197 (toll-free)."

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed (703) 308-9051, (for formal communications intended for entry)

Or: (703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to USPTO Headquarters, Alexandria, VA.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(571) 272-7880**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay**

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Aung Maung, can be reached on (571) 272-7882. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L
May 25, 2005

John J Lee


NAY MAUNG
SUPERVISORY PATENT EXAMINER